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Attorney for Defendant

Michael Richard Lynch

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA.

Case No.: 3:18-CR-00577 CRB

Judge: Hon. Charles Breyer

Plaintiff.

**[PROPOSED] ORDER TEMPORARILY
MODIFYING THE CONDITIONS OF
PRETRIAL RELEASE**

14

MICHAEL RICHARD LYNCH

Defendant.

1 WHEREAS, on May 11, 2023, this Court issued an Order Setting Conditions of Pretrial
2 Release for defendant Michael R. Lynch, including: (1) the execution of a \$100 million bond,
3 secured by \$50 million in cash, wire transfer, and/or unencumbered shares of publicly traded
4 stock, accompanied by power of sale, or any combination thereof; (2) the defendant shall be
5 confined to an address in the city and county of San Francisco, subject to the approval of the
6 United States Attorney's Office and the Court, and may only travel for meetings with counsel,
7 medical appointments, court appearances, and other essential purposes, all of which must be
8 located in the city and county of San Francisco; (3) the hiring of a private security firm at the
9 defendant's expense, including 24-hour armed guards and video surveillance; (4) surrender of all
10 travel documents of any kind whatsoever; and (5) strict supervision by Pretrial Services and
11 adherence to any other conditions imposed by this Court (Doc. 146, the "First Order Setting
12 Conditions of Pretrial Release");

13 WHEREAS, on May 24, 2023, this Court issued an Order granting the defendant's
14 Motion for Leave to Change Address and to Clarify Release Conditions, including: changing the
15 defendant's address to 2715 Scott St., San Francisco, CA and clarifying that the defendant's
16 release conditions include the ability for him to travel for religious services and court-approved
17 obligations within San Francisco, upon the approval of Pretrial Services (Doc. 168, the "Second
18 Order Setting Conditions of Pretrial Release");

19 WHEREAS, members of the defendant's family will be visiting him in San Francisco
20 from September 24 to October 9, 2023, and October 24 to November 5, 2023;

21 WHEREAS, the defendant hereby moves this Court for an Order Temporarily Modifying
22 the Conditions of Pretrial Release to allow him to leave his residence between the hours of 9AM
23 and 9PM prevailing Pacific Time during the periods from September 24 to October 9, 2023,
24 October 24 to November 5, 2023, always accompanied by his armed guards, with notice about
25 his whereabouts to Pretrial Services, in order to accompany his family within San Francisco
26 during their visit; and

27 WHEREAS, counsel for the defendant has conferred with Pretrial Services and the
28 private security company about this motion and neither Pretrial Services nor the private security

1 company have any objections to the requested temporary modifications described in this motion.
2 Counsel for the defendant has also conferred with the government about this motion and counsel
3 for the government has indicated that it objects to the requested modifications during the period
4 his family is visiting San Francisco;

5 **WHEREFORE**, the Court ORDERS the following:

6 1. The defendant's Motion for an Order Temporarily Modifying the Conditions of
7 Pretrial Release is GRANTED, subject to the following conditions. For the periods from
8 September 24 to October 9, 2023 and October 24 to November 5, 2023: (1) the defendant shall
9 be allowed to travel with his family within the city of San Francisco between the hours of 9AM
10 and 9PM prevailing Pacific Time each day; (2) the defendant shall always be accompanied by
11 two armed guards when outside of the residence; (3) the defendant shall obey any conditions that
12 his guards believe necessary to allow for complete security while away from his residence; and
13 (4) the defendant's guards shall coordinate with Pretrial Services about the defendant's
14 whereabouts while outside of the residence to ensure that Pretrial Services is aware of all trips
15 away from the defendant's residence.

16 2. At the termination of each of the periods specified above (*i.e.*, on October 10,
17 2023 and November 6, 2023), the prior conditions of home confinement set forth in this Court's
18 First and Second Order Setting Conditions of Pretrial Release shall resume.

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20 SO ORDERED this _____ day of September, 2023.

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HON. CHARLES R. BREYER
24 UNITED STATES DISTRICT JUDGE
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